

REMARKS

By way of the present response, claims 5, 10, 11, 12 and 16 have been amended. Entry of the above amendments is respectfully requested because they would place the application in condition for allowance.

The undersigned notes with appreciation the thoughtful consideration given by Examiner Wu during the personal interview with the undersigned on January 13, 2005.

In the interview, the undersigned pointed out to the Examiner that claim 1 recites, among other features, "a controller which analyzes image data to determine a scene," and that claim 21 recites "an analyzer which analyzes image data to determine a scene." It was also pointed out that claim 1 recites an "instruction device which instructs by a *user* to set ...," and claim 21 recites "a setter which receives a *user's* instruction" The undersigned explained to the Examiner that the "controller" and "analyzer" recited in claims 1 and 21, respectively, cannot be read on the operator of Inoue when considering each of claims 1 and 21 as a whole, especially the features of an instruction device as recited in claim 1 and a setter as recited in claim 21, which operate to receive input from a *user*. The Examiner agreed, as indicated in the interview summary issued on January 18, 2005 (Paper No. 13). Hence, claims 1 and 21 are considered allowable.

With respect to independent claims 5, 11 and 16, the Examiner stated that did not consider the recited controller of claim 5 and processes of analyzing and correcting recited in claims 11 and 16 to set forth distinguishing limitations over Inoue's operator and tasks that are performed by the operator. The undersigned asserted during the interview that because an operator using the system described in the Inoue patent must select a type and amount of correction, Inoue does not describe claimed features involving *automatic* correction of the image data. However, the Examiner stated he considered Inoue's processes of correction to be automatically performed after a user specifies a correction pattern and amount.

To further clarify the feature of automatic correction, Applicants have amended independent claims 5, 11 and 16 to recite that correction is automatically performed in response to the scene determination. It is respectfully submitted that the Inoue patent does not disclose automatic correction as set forth in claims 5, 11

and 16, as amended. As such, amended independent claims 5, 11 and 16 are considered patentable.

During the interview, the Examiner also asserted that the feature recited in each of independent claims 10 and 12 of "analyzing the image data to determine a scene ...," when considered in its broadest context, is disclosed by the description in Inoue of a human operator analyzing image data. While the undersigned disagreed that the operator of the Inoue system analyzes "image data" *per se* to determine a scene, claims 10 and 12 have been changed to further clarify that a determination of a scene is performed *automatically*. The system of Inoue, by contrast, does not analyze image data to automatically determine a scene because it requires input from a user to determine a scene. Hence, the Inoue patent does not anticipate amended claims 10 and 12.

The remaining claims depend from one of independent claims 1, 5, 10, 11, 16 and 21, and are therefore considered allowable at least for the above reasons and further for the combinations of additional features recited. Furthermore, it is respectfully submitted that the Bar patent, which the Examiner relies upon for allegedly teaching a reset function with respect to claims 2, 7, 13 and 18, does remedy the shortcomings of Inoue pointed out above, whether considered individually or in any combination therewith.

In view of the forgoing, it is respectfully submitted that the present response address the Examiner's concerns expressed during the interview and on pages 2-3 of the final Office Action. If there are any questions regarding this response, or the application in general, the Examiner is encouraged to contact the undersigned at 703-838-6696.

Respectfully submitted,

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